

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SUPREME FOODSERVICE AG,

Plaintiff,

-v-

COMPASS GROUP PLC, ESS (AKA EUREST
SUPPORT SERVICES), IHC SERVICES, INC., PETER
HARRIS, ANDREW SEIWERT, ALEXANDER
YAKOVLEV, MOXYCO, LTD., DOUG KERR, STEVE
KEMP, LEN SWAIN, VLADIMIR KUZNETSOV,
NIKAL, LTD., EZIO TESTA, DMITRY YAKOVLEV
AND OLGA YAKOVLEV.

Defendants.

Case No. 06 CV 1759 (PKC)

ES-KO INTERNATIONAL, INC.,

Plaintiff,

-v-

COMPASS GROUP PLC, ESS SUPPORT SERVICES
WORLDWIDE, EUREST SUPPORT SERVICES
(CYPRUS) INTERNATIONAL LIMITED, PETER
HARRIS, ANDREW SEIWERT, STEVE KEMP, LEN
SWAIN, STEVE BICKERSTAFF, DOUG KERR, IHC
SERVICES, INC., EZIO TESTA, ALEXANDER
YAKOVLEV, DMITRY YAKOVLEV, VLADIMIR
KUZNETSOV, AND JOHN DOES 1 TO 100.

Defendants.

Case No. 06 CV 2422 (PKC)

**NOTICE OF MOTION TO
DISMISS ES-KO'S AND
SUPREME'S RICO AND
ANTITRUST CLAIMS**

Oral Argument Requested

PLEASE TAKE NOTICE that, upon the accompanying memorandum of law, and all papers and proceedings had herein, The Compass Group PLC ("Compass"), ESS Support Services Worldwide, Eurest Support Services (Cyprus) International Limited ("ESS"), Steve Kemp, Len

Swain and Steve Bickerstaff¹ (collectively, the "Compass Defendants") will move this Court before the Honorable P. Kevin Castel, at the United States Courthouse, 500 Pearl Street, New York, New York 10007, at a date and time to be designated by the Court, for an Order dismissing ES-KO International, Inc.'s and Supreme Foodservice AG's RICO and antitrust claims with prejudice, pursuant to Federal Rule of Civil Procedure 12(b)(6).

Dated: New York, New York
July 17, 2006

Respectfully submitted,

PAUL, WEISS, RIFKIND, WHARTON & GARRISON LLP

By: 

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Compass Group PLC, ESS Support Services Worldwide, Eurest
Support Services (Cyprus) International Limited, Steve Kemp, Len
Swain and Steve Bickerstaff*

¹ Steve Bickerstaff contests the Court's personal jurisdiction over him, but joins in the Compass Defendants' Motion to Dismiss ES-KO's and Supreme's RICO and Antitrust Claims without waiving his defense of lack of personal jurisdiction.

To:

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